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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,551	08/28/2003	Michael J. Dundon	DUN-P1001	7593

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EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2636	

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/650,551	DUNDON, MICHAEL J.	
	Examiner	Art Unit	
	Brent A. Swarthout	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 September 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

a. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abbasi in view of Ahdoot and Renzi.

Abbasi discloses an apparatus for providing a touch sensation to a user of a simulated real world software program supported by a computer comprising plural actuators 145 providing sensation of touch on simulated different areas of the user (col.5, lines 1-25; col.6, lines 17-23), control interface to link each actuator through the computer based on a particular input (col.6, lines 1-10), except for specifically stating that the user tactile inputs are via a garment or that the actuators have particular addresses.

Ahdoot teaches desirability in an interactive device between two participants of generating signals indicative of contact between a first individual and a likeness of a second individual (col. 4, lines 63-67; col.7, lines 58-59), and translating the impact signal to an actuator at a corresponding position on the body of a second participant (col 7., lines 60-63; col.5, lines 50-55).

Renzi teaches desirability in a system for translating perceived contact between a user and a virtual object of providing tactile inputs to a

user's body based on addresses of the tactile actuators for given positions where contact has taken place (col. 10, lines 3-5).

It would have been obvious to use a garment containing tactile actuators as suggested by Ahdoot and actuator addresses as suggested by Renzi in conjunction with a tactile touch input system as disclosed by Abbasi, in order to allow tactile feedback to any desired location on a body with greater accuracy, the addressing providing greater control of actuators to ensure that a more precise location on a body was addressed corresponding to activation by a remote individual.

Further regarding claims 1,8,15 and 18, since Ahdoot teaches that the device can be used for a variety of different sports (col. 5, line 61), and that the scoring for each sport can be displayed (col.8, lines 1-5), it would have been obvious to one of ordinary skill in the art to utilize different programming for the particular sport being played, since scoring would have varied from sport to sport.

Regarding claim 8, Ahdoot teaches generating stimuli at a location where virtual contact has taken place (col. 7, lines 58-61). One of ordinary skill in the art would have found it obvious to use well-known addressing means to control such generating means 40, since such is desirable in the art to provide appropriate control inputs at desired locations.

Regarding claim 2, use of specific logic elements would have been an obvious matter of engineering choice, such elements well-known in the art for providing control inputs.

Regarding claims 3-4, Ahdoot teaches desirability of interacting with a graphic representation of a person (Fig. 1) in a game program.

Regarding claims 5-6, Abbasi discloses use for adult entertainment program (col. 1, lines 44-50) or medical application program (col. 1, lines 22-27).

Regarding claim 7, Renzi teaches desirability of having a garment with actuators cover a limb (col. 11, line 58).

Regarding claims 9-12, since Abbasi, Ahdoot and Renzi all have sensed inputs translated to corresponding position at a user, choosing to use specific decision block elements for addressing would have been an obvious matter of engineering choice to one of ordinary skill in the art, since Renzi teaches an equivalent addressing technique that performs the same function as applicant's, applicant citing no criticality of use of claimed decision circuit elements versus the equivalent decision elements used by Renzi, Ahdoot and Abbasi.

Regarding claims 13-14, Ahdoot teaches use of video generated images (col.4, lines 49-65) and perceived contact with such images (col. 7, lines 58-59).

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A Swarthout whose telephone number is 571-272-2979. The examiner can normally be reached on M-F from 6:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Brent A Swarthout
Art Unit 2632

BRENT A. SWARTHOUT
PRIMARY EXAMINER